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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

35M1/0312

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/601,374	02/14/96	120	GROSZ, A	3508 03/12/97
First Named Applicant PEARCE, TONY M.				

TITLE OF INVENTION "GELATINOUS CUSHIONS WITH BUCKLING COLUMNS"

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 1196-P	005-653.000	K49	UTILITY	NO	\$1290.00	06/12/97

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:
 - A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or
 - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
 - A. Pay FEE DUE shown above, or
 - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.
- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

B



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SERIAL NUMBER 05/501,374	FILING DATE 02/14/96	FIRST NAMED APPLICANT PEARCE	ATTORNEY DOCKET NO. 1154
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35M1/0312
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EXAMINER GROSZ, A

ART UNIT 3508	PAPER NUMBER
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DATE MAILED:

6/18
03/12/97
R
3-6-97

NOTICE OF ALLOWABILITY

PART I.

- ☒ This communication is responsive to PRELIM AMT DATED 2/27/97
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 1,5,8-11, 44, 46-7, 73-76, 80, 77, 81, 83-129, RENUMBERED AS 1-120
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____.
- ☒ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - ☒ The proposed drawing correction filed on 2/27/97 has been approved by the examiner. CORRECTION IS REQUIRED.
 - ☒ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Examiner's Amendment | <input type="checkbox"/> Notice of Informal Application, PTO-152 |
| <input checked="" type="checkbox"/> Examiner Interview Summary Record, PTOL-413 | <input checked="" type="checkbox"/> Notice re Patent Drawings, PTO-948 |
| <input type="checkbox"/> Reasons for Allowance | <input type="checkbox"/> Listing of Bonded Draftsmen |
| <input checked="" type="checkbox"/> Notice of References Cited, PTO-892 | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Information Disclosure Citation, PTO-1449 | |

BEST AVAILABLE COPY

Serial Number: 08/601,374
Art Unit: 3508

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Pursuant to telephone interviews with Mr McCarthy on 1/29; 2/25 and 3/6/97, cancel claims 43, 72 and 79. In claim 70, line 1, change "72" to -69-. In claims 71, last line change "." to -,- and in the following line insert:

B' wherein said cushion is yieldable in response to a compressive force exerted upon it by a cushioned object; and wherein said yieldability of the cushion results from said cushioning media being compressible and from said columns being bucklable generally in the direction of their longitudinal axes, so that the cushion is able to substantially conform to the shape of a cushioned object.

In a timely manner, a lead line will be inserted to element "1505" in Figure 15. CHANGE THE DEPENDENCY OF CLAIMS 73-75, 77, 81, 83-85, 88, 89, 92, 94-104, 106, FROM "72" TO -71-,

On 2/27/97, at my request, Mr McCarthy submitted a preliminary amendment specifying that the gelatinous material are solid, flexible, resilient, and have shape memory. He also corrected a number of errors in the specification.

The following is an examiner's statement of reasons for allowance: On 1/25/97 and 3/6/97 Mr McCarthy and I discussed the

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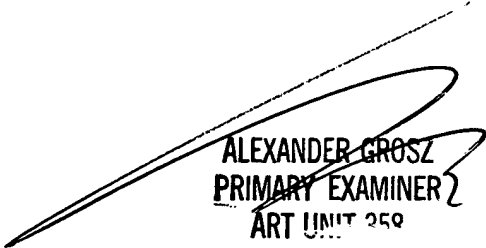
invention, the claims and the prior art cited on PTO 1449. We agreed that while the solid gelatinous compositions of the invention are known to be useful for cushions (eg Chen patents such as 5,334,646) there is no teaching or suggestion in the prior art to provide such gelatinous compositions with columns that buckle under a load to thereby provide yieldable cushions. While some of the prior art foam or pneumatic cushions cited on PTO 892 shown "cores" through their bodies, there is no teaching or suggestion in the prior art to provide solid gelatinous compositions of the prior art with buckleable columns, as set forth in all the independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Examiner A. Grosz at telephone number (703) 308-2168.

Grosz/ph

March 06, 1997



ALEXANDER GROSZ
PRIMARY EXAMINER
ART UNIT 350